




PATENT

GP 1714

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Deborah A. Peacock, Reg. No. 31,649  
Brian J. Pangre, Reg. No. 42,973

February 9, 2001  
(Date)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Wayne Harlan	: Art Unit: 1714
Serial No.:	09/654,382	: Examiner: Unknown
Filed:	September 1, 2000	:
For:	POLYMER-MODIFIED	:
	ASPHALT EMULSION	:

## INFORMATION DISCLOSURE STATEMENT

**Commissioner for Patents**  
**Washington, D.C. 20231**

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.



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This Information Disclosure Statement is being filed within three months of the filing date of the application and prior to the mailing date of a first Office action. Therefore, no fee or certification is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

Dated: February 9, 2001

Brian J. Pangre, Reg. No. 42,973  
Direct line: (505) 998-1505

Enclosures: PTO Forms 1449;  
Copy of References

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	09/654,382
				Filing Date	September 1, 2000
				First Named Inventor	HARLAN
				Group Art Unit	1714
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	30882UT1001

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document <sup>2</sup>		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		4,859,245		P. Schilling, et al.	08/22/1989	
		5,019,610		G.E. Sitz, et al.	5,019,610	
		5,242,492		D. Krivohlavek	09/07/1993	
		5,328,505		P. Schilling	07/12/1994	
		5,352,285		D. Krivohlavek	10/04/1994	
		5,443,632		P. Schilling	08/22/1995	
		5,667,578		P. Schilling	09/16/1997	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document <sup>2</sup>			Name of Patentee of Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		EP	0 458 386	B1	Euron S.p.A.	28.12.1994		

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[\\VDM\DOCS\ANNETTE\Georges-1449p1.PTO.doc] 30882-1001

1. Unique citation designation number. 2. See attached Kinds of U.S. Patent Documents. 3. Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6. Applicant is to place a check mark here if English language Translation is attached.

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				Application Number	09/654,382
				Filing Date	September 1, 2000
				First Named Inventor	HARLAN
				Group Art Unit	1714
				Examiner Name	
Sheet	2	of	3	Attorney Docket Number	30882UT1001

### U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		5,703,148		Y. Jolivet, et al.	12/30/1997	
		5,795,929		W.E. Grubba	08/18/1998	
		5,928,418		R. Tamaki, et al.	07/27/1999	
		5,973,037		J.R. Fields	10/26/1999	
		6,107,374		J.C. Stevens, et al.	08/22/2000	

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee of Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

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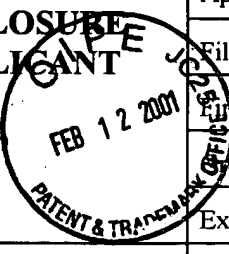
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				Application Number	09/654,382
				Filing Date	September 1, 2000
				First Named Inventor	HARLAN
				Group Art Unit	1714
				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	30882UT1001

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		DEFINITION of "SBS Rubber" from website of <i>Dept of Polymer Sci., U of S. Miss.</i> (1995)	
		DEFINITION of "Polybutadiene" from website of <i>Dept of Polymer Sci., U of S. Miss.</i> (1995)	

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<sup>1</sup> Unique citation designation number. 2. Applicant is to place a check mark here if English language Translation is attached.